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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/810,635 Art Unit: 2621
Filing Date: March 29, 2004 Examiner: Helen Shibru
Applicant(s): Jang Hui CHO, et al. Conf. No.: 9587
Title: RECORDING MEDIUM HAVING DATA STRUCTURE FOR MANAGING REPRODUCTION OF AT LEAST VIDEO DATA REPRESENTING MULTIPLE REPRODUCTION PATHS AND RECORDING AND REPRODUCING METHODS AND APPARATUSES

Attorney Docket: 46500-000615/US/COA

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September 14, 2009

STATEMENT UNDER 37 C.F.R. § 1.133(b)

Madam:

In response to the telephonic discussions and emails of September 8-9, the following remarks are respectfully submitted in connection with the above-identified application.

Interview Summary

During the discussions, the Examiner indicated that the instant application would be in position for allowance if a terminal disclaimer was submitted in the instant application, listing co-pending application

CONCLUSION

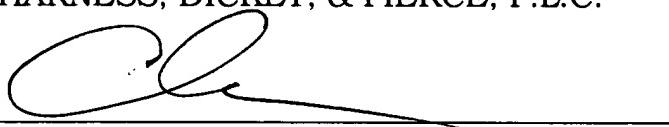
Should there be any outstanding matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By


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QA
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10/176,367. The Examiner indicated that the claims would otherwise be subject to an obviousness-type double patenting rejection.

In order to expedite prosecution, Applicants have submitted herewith a terminal disclaimer listing co-pending application 10/176,367. Applicants respectfully submit that the terminal disclaimer is submitted only to bring the lengthy prosecution in the subject application to a close; the claims of the subject application remain patentable over claims in co-pending application 10/176,367. Particularly, the claims in the subject application and the co-pending applications recite recording media with significantly different storage schemes and data content imparting different functionality to reproducing and recording devices interacting with the same. Without some other reference accounting for the differences between the claimsets and providing some rational underpinning for combining the claimsets, neither claimset is obvious over the other. Allowance of the present application is respectfully requested.